

MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next t my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural invent are named below) of the subject matter which is claimed and for which a parent is sought on the invention entirled: CASE, ASSEMBLY OF SHAPES, CASE-OPENING PROCESS AND PROCESS AND MACHINE FOR MAKING SUCH A CASE. The specification of which a. is attached hereto b. was filed on as application serial no. PCT/PROO/01016tl was amended on (if applicable) (in the case of perfect of application) described and claimed in international no. filed and as amended on (if any), which I have review
and for which I solicit a United States patent. April 19, 2000 April 24, 2001
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended any amendment referred to above.
I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37. C of Federal Regulations, § 1.36 (attached hereto).
I hereby claim foreign priority benefits under Title 35, United States Code. § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified telow any foreign application for patent or inventor's certificate having a fidate before that of the application on the basis of which priority is claimed:
a. C. no such analications have been filed

	no such applications have been filed.
b. 🔀	such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
FRANCE	99 04907	19/04/1999	
France France	99 04908 99 07578	19/04/1999 15/06/1999	
PRANCE PRANCE	99 07580	15/06/1999 23/06/1999	

ALL FOREIGN APPLICATION(S), IP ANY, FILED BEFORE THE PRIORITY APPLICATION(5)				
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE	
		(day, month, year)	(day, month, year)	

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) ils below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior applica and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(s) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so ma are punishable by fine or imprisonment, or both, under Section 1001 of Tide 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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I hereby appoint the following automey(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent 8 Trademark Office connected herewith:

MIK Office commercial mach	*Line		
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Golla, Charles E.	Reg. No. 26.896	Sumner, John P.	Reg. No. 29,114
Gorman, Alan O.	Reg. No. 38,472	Summers, John S.	Reg. No. 24,216
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Hassing, Thomas A.	Reg. No. 36,139	Welter, Paul A.	Reg. No. 20,820
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/autorney/firm/
organization who/which first sends/sent this ease to them and by whom/which I hereby declare that I have consented after full disclosu
to be represented unless/until I instruct Merchant, Gould, Smith. Edell. Welter & Schmidt to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Welter & Schmidt
3100 Norwest Center
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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good falth in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional miseconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentally defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facic case of unpatentability of a claim;
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

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A prima facte case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an anempt to establish a contrary conclusion of parentability.

- (c) Individuals associated with the filing or prosecution of a parent application within the meaning of this section are:
- (I) Each inventor named in the application:
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.